

Message Text

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ACTION EUR-12

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C O N F I D E N T I A L GENEVA 2052

E.O. 11652: GDS
TAGS: PFOR
SUBJECT: NATO CONSIDERATION OF DRAFT PROTOCOL ON INTERNATIONAL
LAW IN ARMED CONFLICT

REF: NATO 1139

1. AT MEETING ON MARCH 14, US, UK, FRG, FRENCH AND
CANADIAN REPS TO GENEVA CONFERENCE ON LAWS OF WAR AGREED
TO RECOMMEND TO THEIR GOVERNMENTS THAT NATO APPROVE IN
NEAR FUTURE MANDATE FOR MILITARY COMMITTEE STUDY OF DRAFT
PROTOCOL, BUT WITH COMPLETION DATE SUBSTANTIALLY LATER
THAN AUGUST 31 AND ON UNDERSTANDING THAT WORK WOULD
NOT BEGIN ON STUDY UNTIL AFTER END OF DIPLOMATIC CONFERENCE
IN JUNE.

2. ALL DELS RECOGNIZED THAT STUDY WOULD MAKE SENSE ONLY
IF BASED UPON AGREED INTERPRETATIONS OF THE OBLIGATIONS
NATO MEMBERS WOULD ASSUME UNDER THE PROTOCOL AND THAT
SUCH AGREED INTREPRETATIONS COULD NOT BE GIVEN UNTIL THE
CONFERENCE HAD CONCLUDED ITS WORK. ALL DELS ALSO
RECOGNIZED NECESSITY FOR INVOLVEMENT IN NATO STUDY
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OF LEGAL AND MILITARY EXPERTS WHO HAVE PARTICIPATED
IN THE CONFERENCE.

3. QUESTION OF NATO STUDY WILL ALSO BE DISCUSSED ON
FRIDAY, MARCH 18 AT INFORMAL MEETING OF REPS FROM ALL
NATO COUNTRIES ATTENDING THE GENEVA CONFERENCE, AND WE
SHALL TRY TO PERSUADE THEM TO JOIN IN EARLY AGREEMENT

ON MANDATE FOR STUDY TO COMMENCE DURING THE SUMMER. WE
SHALL REPORT RESULTS OF THAT MEETING.SORENSEN

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